

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



March 30, 2015

Via Email PDF

Lyle M. Blanchard  
Greenstein DeLorme & Luchs, P.C.  
1620 L Street, NW, Suite 900  
Washington, DC 20036-5605

Re: 2 I Street, SE – Square 695, Lot 21 (the “Subject Property”)

Dear Mr. Blanchard:

In response to your attached letter of February 25, 2015, the attached exhibits and a meeting in my office on January 16, 2015, I have determined that the maximum height of a building constructed at the Subject Property, which is zoned C-3-C, could be 130 feet as the result of either the Planned Unit Development (“PUD”) process or through the transfer of development rights (“TDRs”).

The record lot for the Subject Property is considered to be adjacent to South Capitol Street due to the permanent easement for public right of way that burdens Lot 804. The portion of South Capitol Street adjacent to the Subject Property is 130 feet wide. Thus, under Section 6-601.05(a) of the Height Act (maximum height of a building is based on width of adjacent street or avenue plus 20 feet), a building built at the Subject Property could theoretically be 150 feet in height measured from the adjacent grade to the height of the parapet wall on the building's roof. However, under Section 6-601.05(b) of the Height Act a building on the Subject Property is limited to the maximum height restriction of 130 feet. Additionally, under the Zoning Regulations, the C-3-C commercial zone district restricts the maximum height of a building to 90 feet (and a maximum density of 6.5 FAR). However, there are two ways the owner of the Subject Property is allowed to exceed this 90 feet height limit of the Zoning Regulations:

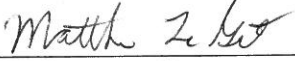
One option to attain additional height is through the PUD process. Under chapter 24 of the Zoning Regulations, the Zoning Commission may grant relief in the form of additional height, density, lot occupancy, side and rear yards, parking, loading, etc. In the C-3-C zone district, the Zoning Commission may allow additional height up to a maximum of 130 feet (and a maximum density of 8.0 FAR) in a PUD case pursuant to Section 2405.1.

The second option is through TDRs. The Subject Property is located in the South Capitol Receiving Zone, an area where excess height and density may be transferred by means of a combined lot development (“CLD”) evidenced by a declaration of covenants agreement with one or more owners of lot(s) in the Downtown Development (“DD”) zone district. Through the TDR process, the Zoning Regulations allow a maximum height of 130 feet

as permitted by the Height Act (and a maximum density of 10.0 FAR) pursuant to Section 1709.21.

Based on the above, I conclude that that the maximum height of a building constructed at the Subject Property, which is zoned C-3-C, based on of the width of South Capitol Street, and may be a maximum of 130 feet, as the result of either a PUD or through TDRs as noted above.

Please let me know if I may be of further assistance.

Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachments: A – Zoning Map  
B – Subdivision Plat (5/21/1985) and A&T Plat (5/29/1961)  
C – Deed of 5/3/1961  
D – Plat of Computation (12/10/1957)  
E – Photograph (1/16/2015)